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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission
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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

ARIZONA CORPORATION COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION
OF PERKINS MOUNTAIN WATER
COMPANY FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY
IN MOHAVE COUNTY.

DOCKET NO. W-20380A-05-0490

DOCKET NO. SW-20379A-05-0489

IN THE MATTER OF THE APPLICATION
OF PERKINS MOUNTAIN UTILITY
COMPANY FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY
IN MOHAVE COUNTY.

**NOTICE OF LATE-FILED
LEGAL DESCRIPTION**

On October 19, 2005, the Arizona Department of Water Resources ("ADWR") issued its Analysis of Adequate Water Supply finding that 9,000 acre-feet of groundwater was physically available per annum for the planned Golden Valley South development. On August 14, 2006, ADWR issued a second Analysis of Adequate Water Supply finding that an additional 2,895.69 acre-feet per annum of treated effluent was physically available for Golden Valley South. The two analyses total 11,895.69 acre-feet per annum.

As Golden Valley South progressed through the various approval processes, changes were made to the developer's master plan, reducing the demand for water. As the evidence demonstrated at the hearing in this case, the current projected water demand for Golden Valley South is 11,566.88 acre-feet per annum, which is 328.81 acre-feet per annum less than the 11,895.69 acre-feet per annum determined to be physically available based on the two ADWR analyses. However, the projected water demand for the development at the time the developer submitted the second application for analysis of adequate water supply was 12,196.11 acre-feet per annum, which is 300.42 acre-feet per

Snell & Wilmer

LLP

LAW OFFICES
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1 annum more than the 11,895.69 acre-feet per annum determined to be physically available
2 based on the two ADWR analyses.

3 During the course of the hearing, applicants Perkins Mountain Water Company and
4 Perkins Mountain Utility Company ("Companies") and Utilities Division Staff ("Staff")
5 reached agreement that a conditional certificate of convenience and necessity ("CC&N")
6 should be issued for the substantial majority of the planned Golden Valley South
7 development, and that an order preliminary should be issued for a small portion of the
8 project to be developed as a later phase. Specifically, the conditional CC&N would be
9 issued for that amount of land equivalent to the land associated with the 12,196.11 acre-
10 feet per annum of demand. The parties agreed that the Companies would late-file an
11 exhibit identifying specific land within the Golden Valley South development that would
12 be subject to the order preliminary, and that Staff would have an opportunity to review the
13 filing. Accordingly, the Companies filed a legal description and map of the order
14 preliminary area on March 21, 2007.

15 Staff has asked that the Companies clarify the areas which will be subject to a
16 conditional CC&N and the area that will be subject to the order preliminary. Attached
17 hereto as Attachment "A" is a legal description for the Golden Valley South conditional
18 CC&N area, which is located in Sections 2, 3, 4, 8, 9, 10, 11, 14, 16, Township 20 North,
19 Range 18 West, G&SRB&M, and Section 34, Township 21 North, Range 18 West,
20 G&SRB&M. Also attached as Attachment "D" is a map depicting the various parcels
21 within the Golden Valley South development. Attachment "B" was previously filed
22 March 21, 2007, and depicts a parcel of property within Golden Valley South
23 approximately 253.96 acres in size located in Section 8, Township 20 North, Range 18
24 West, G&SRB&M, which will be subject to the order preliminary. Also attached hereto
25 as Attachment "C" is the legal description for The Villages at White Hills, which was
26 revised August 3, 2005 and re-filed September 14, 2005. The Companies are requesting
27 an order preliminary for The Villages at White Hills.
28

1 DATED this 11th day of May, 2007.

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3 SNELL & WILMER

4
5 By Kristoffer P. Kiefer
6 Jeffrey W. Crockett, Esq.
7 Kristoffer P. Kiefer, Esq.
8 One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
Attorneys for Perkins Mountain Water Company

9 ORIGINAL and 15 copies filed this
10 11th day of May, 2007, with:

11 Docket Control
12 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

13 COPY hand-delivered this 11th
14 day of May, 2007, to:

15 Dwight Nodes, Administrative Law Judge
16 Hearing Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

17 Keith Layton, Staff Attorney
18 Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

20 Blessing Chukwu
21 Utilities Division Staff
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

23 COPY mailed this 11th day of
24 May, 2007, to:

25 Booker T. Evans, Jr.
26 Kimberly A. Warshawski
Greenberg Traurig, L.L.P.
2375 East Camelback Road, Suite 700
Phoenix, AZ 85016

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Scott Fisher
Sports Entertainment
808 Buchanan Blvd., Ste. 115-303
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1993567.1

ATTACHMENT A

GOLDEN VALLEY SOUTH
CC & N BOUNDARY

LEGAL DESCRIPTION

[Revised 5-11-07]

TOWNSHIP 20 NORTH, RANGE 18 WEST, G. & S.R.M., MOHAVE COUNTY, AZ:

SECTION 2, EXCEPT THE W2 NW4 NW4 NE4 NE4, & THE SE4 SE4;

SECTION 3;

SECTION 4;

SECTION 8; EXCEPT THE W2 NW4 NW4 NE4, & COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8, THENCE SOUTH 89°35'26" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION 8, A DISTANCE OF 56.87 FEET;

THENCE NORTH 00°24'34" EAST, A DISTANCE OF 57.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°16'25" EAST, A DISTANCE OF 2347.54 FEET,

THENCE SOUTH 89°43'35" EAST, A DISTANCE OF 5222.04 FEET,

THENCE SOUTH 00°12'30" WEST, A DISTANCE OF 653.72 FEET,

THENCE SOUTH 53°30'28" WEST, A DISTANCE OF 1123.72 FEET,

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 1030.80 FEET,

THENCE NORTH 89°36'50" WEST, A DISTANCE OF 1685.92 FEET,

THENCE NORTH 89°35'26" WEST, A DISTANCE OF 2641.60 FEET TO **THE POINT OF BEGINNING**;

SECTION 9;

SECTION 10;

SECTION 11, EXCEPT THE S2 SE4 SE4 SE4;

SECTION 14, EXCEPT THE E2 NE4, THE NE4 SE4, THE E2 W2 SE4 SE4, & THE E2 SE4 SE4;

SECTION 16;

TOWNSHIP 21 NORTH, RANGE 18 WEST, G. & S.R.M., MOHAVE COUNTY, AZ:

SW4 SECTION 34.

ATTACHMENT B

**GOLDEN VALLEY SOUTH
ORDER PRELIMINARY
LEGAL DESCRIPTION**

THAT PORTION OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 18 WEST OF THE GILA AND SALT RIVER BASE MERIDIAN, MOHAVE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8, THENCE SOUTH 89°35'26" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION 8, A DISTANCE OF 56.87 FEET;

THENCE NORTH 00°24'34" EAST, A DISTANCE OF 57.00 FEET TO THE **POINT OF BEGINNING**:

THENCE NORTH 00°16'25" EAST, A DISTANCE OF 2347.54 FEET;

THENCE SOUTH 89°43'35" EAST, A DISTANCE OF 5222.04 FEET;

THENCE SOUTH 00°12'30" WEST, A DISTANCE OF 653.72 FEET;

THENCE SOUTH 53°30'28" WEST, A DISTANCE OF 1123.72 FEET;

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 1030.80 FEET;

THENCE NORTH 89°36'50" WEST, A DISTANCE OF 1685.92 FEET;

THENCE NORTH 89°35'26" WEST, A DISTANCE OF 2641.60 FEET TO **THE POINT OF BEGINNING**.

ATTACHMENT C

THE VILLAGES AT WHITE HILLS
CC & N SEWER/WATER BOUNDARY

LEGAL DESCRIPTION

[Revised 8-3-05]

TOWNSHIP 27 NORTH, RANGE 20 WEST, G. & S.R.M., MOHAVE COUNTY, AZ:

SECTION 16, EXCEPT THE NW4 NE4, & THE E2 NE4;

W2 W2 SECTION 17;

SECTION 20;

SECTION 21, EXCEPT THE SW4, & THE S2 SW4 NW4;

SECTION 23, EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 23; THENCE NORTH 89°37'39" WEST, 26.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 41°25'03" EAST, 35.78 FEET; THENCE SOUTH 48°34'57" WEST, 599.97 FEET; THENCE NORTH 41°25'03" WEST, 572.03 FEET; THENCE SOUTH 89°37'39" EAST, 804.69 FEET TO THE POINT OF BEGINNING;

ALL OF SECTION 30 LYING SOUTHERLY OF THE CENTERLINE OF WHITE HILLS ROAD (O.R. 274/50-97) OF WHICH THE CENTERLINE IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 30; THENCE SOUTH 00°28'34" WEST, ALONG THE WESTERLY LINE THEREOF, 1,493.03 FEET TO THE POINT OF BEGINNING; THENCE NORTH 68°20'45" EAST, DEPARTING SAID WESTERLY LINE, 223.94 FEET; THENCE NORTH 67°59'58" EAST, 3,686.73 FEET TO THE POINT OF TERMINATION, SAID POINT BEING ON THE NORTHERLY LINE OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 30, EXCEPT THE SW4, & THE SW4 SE4;

TOWNSHIP 27 NORTH, RANGE 21 WEST, G. & S.R.M., MOHAVE COUNTY, AZ:

A PORTION OF THE E2 SECTION 25 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 25; THENCE SOUTH 00°28'58" WEST, ALONG THE EASTERLY LINE THEREOF, 2,643.95 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE ¼); THENCE NORTH 89°33'42" WEST, ALONG THE SOUTHERLY LINE THEREOF, 164.23 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 74°14'59" WEST, A RADIAL DISTANCE OF 5,821.58 FEET, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 95; THENCE NORTHERLY ALONG THE ARC, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 07°34'58", 770.46 FEET; THENCE NORTH 23°19'59" WEST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 2,685.36 FEET TO THE CENTERLINE OF WHITE HILLS ROAD (O.R. 274/50-97); THENCE NORTH 68°20'45" EAST, ALONG SAID CENTERLINE, 1,632.40 FEET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 25; THENCE SOUTH 00°28'34" WEST, ALONG SAID EASTERLY LINE, 1,151.09 FEET TO THE POINT OF BEGINNING.

ATTACHMENT D

COUNTY: Mohave

RANGE 18 West

TOWNSHIP 20 North

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7					12
18	17	15			13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

W-20380 (4)
Perkins Mountain Water Company
Docket No. W-20380A-05-0490
Perkins Mountain Utility Company
Docket No. SW-20379A-05-0489
Application for CC&N - 3rd Amended

W-20380 (4)
Perkins Mountain Water Company
Docket No. W-20380-A-05-0490
Perkins Mountain Utility Company
Docket No. SW-20379A-05-0489
Application for CC&N - 3rd Amended
(Order Preliminary)

(1)
Walnut Creek Water Company, Inc.
Docket No. W-02466A-06-0504
Application for Extension

STRANGE 18 West

TOWNSHIP 21 North[illegible]

W-2033 (2)
Valley Pioneer's Water Company, Inc.

W-20380 (4)
Perkins Mountain Water Company
Docket No. W-20380A-05-0490
Perkins Mountain Utility Company
Docket No. SW-20379A-05-0489
Application for CC&N - 3rd Amended